

Message Text

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SUBJECT: NORAD AGREEMENT

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(E) OTTAWA 1508

1. EMBASSY AUTHORIZED TO TRANSMIT TO GOC FOLLOWING REVISED
FULL TEXT OF NORAD AGREEMENT WHICH HAS BEEN FULLY COORDI-
NATED WITHIN USG AND IS BASED UPON EARLIER EXCHANGES AS
OUTLINED IN REFTELS.

QUOTE SIR, I HAVE THE HONOR TO REFER TO DISCUSSIONS WHICH
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HAVE TAKEN PLACE BETWEEN REPRESENTATIVES OF OUR TWO GOVERN-
MENTS REGARDING FUTURE COOPERATION BETWEEN CANADA AND THE
UNITED STATES OF AMERICA IN THE DEFENSE OF NORTH AMERICA.
OUR GOVERNMENTS REMAIN CONVINCED THAT SUCH COOPERATION

CONDUCTED WITHIN THE FRAMEWORK OF THE NORTH ATLANTIC TREATY, REMAINS VITAL TO THEIR MUTUAL SECURITY, COMPATIBLE WITH THEIR NATIONAL INTERESTS AND AN IMPORTANT ELEMENT OF THEIR CONTRIBUTION TO THE OVERALL SECURITY OF THE NATO AREA.

AS NEIGHBORS AND ALLIES WITHIN NORTH AMERICA, OUR TWO GOVERNMENTS HAVE ACCEPTED SPECIAL RESPONSIBILITIES FOR THE SECURITY OF THE CANADIAN-UNITED STATES REGION OF NATO AND IN FULFILLING THESE RESPONSIBILITIES, HAVE ENTERED INTO A NUMBER OF BILATERAL ARRANGEMENTS TO FACILITATE JOINT DEFENSE ACTIVITIES. AMONG THESE, THE ARRANGEMENTS FOR INTEGRATED AIR DEFENSE EMBODIED IN THE NORTH AMERICAN AIR DEFENSE COMMAND (NORAD) HAVE PROVIDED, SINCE 1958, THE MEANS OF EXERCISING EFFECTIVE OPERATIONAL CONTROL OF THE FORCES ASSIGNED BY OUR TWO GOVERNMENTS TO THE AIR DEFENSE OF NORTH AMERICA.

IN THE YEARS SINCE THE NORAD AGREEMENT WAS FIRST CONCLUDED, THERE HAVE BEEN SIGNIFICANT CHANGES IN THE CHARACTER OF STRATEGIC WEAPONS AND IN THE NATURE OF THE THREAT THEY POSE TO NORTH AMERICA. THE MOST IMPORTANT OF THESE CHANGES HAS BEEN THE MAJOR INCREASE IN THE NUMBER AND SOPHISTICATION OF STRATEGIC MISSILES. ONE RESULT HAS BEEN THE ENHANCEMENT OF MUTUAL DETERRENCE. ANOTHER IS THAT WHILE LONG-RANGE BOMBERS CONTINUE TO POSE A THREAT TO NORTH AMERICA, MISSILES NOW CONSTITUTE THE PRINCIPAL THREAT.

IN LIGHT OF THESE DEVELOPMENTS, OUR TWO GOVERNMENTS RETAIN A COMMON INTEREST IN THE MAINTENANCE OF EFFECTIVE SURVEILLANCE AND CONTROL OF NORTH AMERICA AIRSPACE AND IN PREVENTING ITS USE FOR PURPOSES DETRIMENTAL TO THE SECURITY OF NORTH AMERICA. SINCE SURVEILLANCE AND CONTROL IN PEACETIME IS EXPECTED TO ASSUME INCREASING IMPORTANCE, EACH GOVERNMENT HAS DECIDED TO ESTABLISH A JOINT CIVIL-MILITARY SYSTEM TO CARRY OUT THESE ACTIVITIES. CONFIDENTIAL

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TIES IN CONJUNCTION WITH THE AIR DEFENSE OPERATIONS OF NORAD.

THE LARGE VOLUME OF AIR TRAFFIC FLOWING DAILY TO, FROM AND WITHIN NORTH AMERICA, MUCH OF IT ACROSS THE BORDER BETWEEN OUR TWO COUNTRIES, DICTATES THAT OUR NATIONAL AIRSPACE SURVEILLANCE AND CONTROL SYSTEMS BE COMPATIBLE WITH EACH OTHER AND REQUIRES A HIGH DEGREE OF COORDINATION BETWEEN THEIR MILITARY COMPONENTS. OUR GOVERNMENTS AGREE THAT THE NECESSARY COMMAND AND CONTROL ARRANGEMENTS CAN MOST EFFECTIVELY AND ECONOMICALLY BE PROVIDED BY THE CONTINUED OPERATION OF NORAD.

IN ADDITION TO PERFORMING THE AIRSPACE SURVEILLANCE AND CONTROL FUNCTIONS RELATED TO AIR DEFENCE, NORAD WILL CONTINUE TO MONITOR SPACE ACTIVITIES OF STRATEGIC AND TACTICAL INTEREST AND PROVIDE WARNING OF AEROSPACE ACTIVITIES THAT MAY THREATEN NORTH AMERICA. CANADIAN PARTICIPATION IN THE ACTIVITIES OF NORAD'S AEROSPACE WARNING SYSTEMS DOES NOT INVOLVE ANY COMMITMENT BY THE CANADIAN GOVERNMENT TO TAKE PART IN AN ACTIVE BALLISTIC MISSILE DEFENCE ARRANGEMENT.

NORAD WILL FUNCTION WITH THE PRIMARY OBJECTIVES OF:

(1) CONTRIBUTING TO THE CAPABILITY OF EACH PARTNER NATION TO SAFEGUARD ITS SOVEREIGN RIGHTS IN NORTH AMERICAN AIRSPACE;

(2) CONTRIBUTING TO THE DETERRENCE OF STRATEGIC ATTACK ON NORTH AMERICA BY PROVIDING CAPABILITIES FOR EFFECTIVE WARNING OF AND DEFENSE AGAINST ATTACKS; AND

(3) IF DETERRENCE FAILS, DEFENDING AGAINST ATTACKS WITH AVAILABLE FORCES.

AS IN THE CASE OF ALL JOINT DEFENSE ACTIVITIES, THE FUTURE ACTIVITIES ENVISAGED FOR NORAD WILL REQUIRE THE CLOSEST COOPERATION BETWEEN AUTHORITIES OF OUR TWO GOVERNMENTS AND IT IS RECOGNIZED THAT THIS CAN ONLY BE ACHIEVED IN A MUTUALLY SATISFACTORY WAY IF FULL AND CONFIDENTIAL

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MEANINGFUL CONSULTATION IS CARRIED OUT ON A CONTINUING BASIS. OUR TWO GOVERNMENTS, THEREFORE, UNDERTAKE TO ENSURE THAT SUCH CONSULTATION TAKES PLACE.

ON THE BASIS OF OUR COMMON APPRECIATION OF THE CIRCUMSTANCES DESCRIBED AND OF THE EXPERIENCE GAINED SINCE THE INCEPTION OF NORAD, MY GOVERNMENT PROPOSES THAT THE FOLLOWING PRINCIPLES SHOULD GOVERN THE FUTURE ORGANIZATION AND OPERATIONS OF NORAD.

1. THE COMMANDER IN CHIEF, NORAD (CINCNORAD), AND HIS DEPUTY IN CINCNORAD'S ABSENCE, WILL BE RESPONSIBLE TO THE CHIEF OF DEFENCE STAFF OF CANADA AND THE JOINT CHIEFS OF STAFF OF THE UNITED STATES, WHO IN TURN, ARE RESPONSIBLE TO THEIR RESPECTIVE GOVERNMENTS. THEY WILL OPERATE WITHIN A CONCEPT OF SURVEILLANCE, WARNING, CONTROL AND DEFENSE APPROVED BY THE APPROPRIATE AUTHORITIES OF OUR TWO GOVERNMENTS, WHO WILL BEAR IN MIND THEIR OBJECTIVES IN THE DEFENSE OF THE CANADA-UNITED STATES REGION OF THE NATO AREA.

2. NORAD WILL INCLUDE SUCH COMBAT UNITS AND INDIVIDUALS

AS ARE SPECIFICALLY ALLOCATED TO IT BY THE TWO GOVERNMENTS. THE JURISDICTION OF THE COMMANDER IN CHIEF, NORAD, OVER THOSE UNITS AND INDIVIDUALS IS LIMITED TO OPERATIONAL CONTROL AS HEREIN AFTER DEFINED.

3. "OPERATIONAL CONTROL" IS THE POWER TO DIRECT, COORDINATE, AND CONTROL THE OPERATIONAL ACTIVITIES OF FORCES ASSIGNED, ATTACHED, OR OTHERWISE MADE AVAILABLE. NO PERMANENT CHANGES OF STATION WOULD BE MADE WITHOUT APPROVAL OF THE HIGHER NATIONAL AUTHORITY CONCERNED. TEMPORARY REINFORCEMENT FROM ONE AREA TO ANOTHER, INCLUDING THE CROSSING OF THE INTERNATIONAL BOUNDARY, TO MEET OPERATIONAL REQUIREMENTS WILL BE WITHIN THE AUTHORITY OF COMMANDERS HAVING OPERATIONAL CONTROL. THE BASIC COMMAND ORGANIZATION FOR THE DEFENSE FORCES OF THE TWO COUNTRIES, INCLUDING ADMINISTRATION, DISCIPLINE, INTERNAL ORGANIZATION AND UNIT TRAINING, SHALL BE EXERCISED BY NATIONAL COMMANDERS RESPONSIBLE TO THEIR NATIONAL AUTHORITIES.

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4. THE APPOINTMENT OF CINCNORAD AND HIS DEPUTY MUST BE APPROVED BY THE CANADIAN AND UNITED STATES GOVERNMENTS. THEY WILL NOT BE FROM THE SAME COUNTRY, AND THE CINCNORAD STAFF SHALL BE AN INTEGRATED JOINT STAFF COMPOSED OF OFFICERS OF BOTH COUNTRIES. DURING THE ABSENCE OF CINCNORAD, COMMAND WILL PASS TO THE DEPUTY COMMANDER.

5. THE NORTH ATLANTIC TREATY ORGANIZATION WILL CONTINUE TO BE KEPT INFORMED THROUGH THE CANADA-UNITED STATES REGIONAL PLANNING GROUP OF ARRANGEMENTS FOR THE AIR DEFENSE OF NORTH AMERICA.

6. THE PLANS AND PROCEDURES TO BE FOLLOWED BY NORAD IN WARTIME SHALL BE FORMULATED AND APPROVED BY APPROPRIATE NATIONAL AUTHORITIES AND SHALL BE CAPABLE OF RAPID IMPLEMENTATION IN AN EMERGENCY. ANY PLANS OR PROCEDURES RECOMMENDED BY NORAD WHICH BEAR ON THE RESPONSIBILITIES OF CIVILIAN DEPARTMENTS OR AGENCIES OF THE TWO GOVERNMENTS SHALL BE REFERRED FOR DECISION BY THE APPROPRIATE MILITARY AUTHORITIES OF THOSE AGENCIES AND DEPARTMENTS AND MAY BE THE SUBJECT OF INTER-GOVERNMENTAL COORDINATION THROUGH AN APPROPRIATE MEDIUM SUCH AS THE PERMANENT JOINT BOARD ON DEFENSE, CANADA-UNITED STATES.

7. TERMS OF REFERENCE FOR CINCNORAD AND HIS DEPUTY WILL BE CONSISTENT WITH THE FOREGOING PRINCIPLES. CHANGES IN THESE TERMS OF REFERENCE MAY BE MADE BY AGREEMENT BETWEEN THE CANADIAN CHIEF OF DEFENCE STAFF AND THE UNITED STATES JOINT CHIEFS OF STAFF, WITH APPROVAL OF HIGHER AUTHORITY, AS APPROPRIATE, PROVIDED THAT THESE CHANGES ARE IN CONSONANCE WITH THE PRINCIPLES SET OUT IN THIS NOTE.

8. THE FINANCING OF EXPENDITURES CONNECTED WITH THE OPERATION OF THE INTEGRATED HEADQUARTERS OF NORAD WILL

BE ARRANGED BY MUTUAL AGREEMENT BETWEEN APPROPRIATE AGENCIES OF THE TWO GOVERNMENTS.

9. THE AGREEMENT BETWEEN PARTIES TO THE NORTH ATLANTIC TREATY REGARDING THE STATUS OF THEIR FORCES SIGNED IN CONFIDENTIAL

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LONDON ON JUNE 19, 1951, SHALL APPLY.

10. PUBLIC STATEMENTS BY CINCNORAD ON MATTERS OF INTEREST TO CANADA AND THE UNITED STATES OF AMERICA WILL IN ALL CASES BE THE SUBJECT OF PRIOR CONSULTATION AND AGREEMENT BETWEEN APPROPRIATE AGENCIES OF THE TWO GOVERNMENTS.

IF THE GOVERNMENT OF THE USA CONCURS IN THE CONSIDERATIONS SET OUT HEREIN, I HAVE THE HONOR TO PROPOSE THAT THIS NOTE, WHICH IS EQUALLY AUTHENTIC IN ENGLISH AND FRENCH, AND YOUR REPLY TO THAT EFFECT SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS WHICH WILL ENTER INTO FORCE ON THE DATE OF YOUR REPLY, WITH EFFECT FROM MAY 12, 1975. THIS AGREEMENT WILL SUPERSEDE THE AGREEMENT ON THE NORTH AMERICAN AIR DEFENSE COMMAND CONCLUDED IN WASHINGTON, D.C. ON MAY 12, 1958, AND SUBSEQUENTLY RENEWED BY FURTHER EXCHANGE OF NOTES DATED MARCH 30, 1968 AND MAY 10, 1973.

THE PRESENT AGREEMENT WILL REMAIN IN EFFECT FOR A PERIOD OF FIVE YEARS FROM MAY 12, 1975, DURING WHICH PERIOD ITS TERMS MAY BE REVIEWED AT ANY TIME AT THE REQUEST OF EITHER PARTY. UNLESS TERMINATED UPON NOTICE OF EITHER PARTY AT THE END OF THE FIVE YEAR PERIOD, OR MODIFIED BY AGREEMENT OF THE PARTIES, THIS AGREEMENT SHALL CONTINUE IN EFFECT THEREAFTER UNTIL TERMINATED UPON ONE YEAR'S WRITTEN NOTICE BY EITHER PARTY. UNQUOTE.

2. WITH REGARD TO UNILATERAL USE CLAUSE (OTTAWA 1508), YOU MAY INFORM EXTAFF, IF GOC WISHES TO INSERT SUCH CLAUSE, WE BELIEVE IT SHOULD INCLUDE SENTENCE ABOUT MAKING USE OF NORAD COMMAND AND CONTROL FACILITIES. KISSINGER

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